

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**CLYDE S. KING and DIANE V. KING  
on behalf of themselves and all others  
similarly situated,**

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**Civil Action No. SA 09CA 0937  
XR**

v.

**UNITED SA FEDERAL CREDIT  
UNION,**

**Defendant**

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**JOINT MOTION TO SUSPEND SCHEDULING ORDER PENDING MEDIATION**

TO THE HONORABLE UNITED STATES MAGISTRATE JUDGE

NANCY STEIN NOWAK:

Plaintiffs and Defendant, by and through their respective counsel, jointly move to suspend the current scheduling order pending mediation and show:

1. In this consumer class action case the parties submitted a proposed scheduling order and the Court entered a Joint Initial Scheduling Order (“Scheduling Order”) for discovery and briefing prior to the Court’s consideration of Plaintiffs’ Motion for Class Certification.

2. Pursuant to the Scheduling Order, Plaintiffs filed their Motion for Class Certification, and Defendant deposed both named Plaintiffs and filed a Response to the Motion for Class Certification.

3. Under the current scheduling Order, Plaintiffs reply to Defendant's Response is due May 14, 2010, and Plaintiff were to depose Defendant's Rule 30(b)(6) representatives on March

30 and 31. Prior to the depositions, the parties agreed to postpone the depositions and attempt to settle the case with the assistance of a mediator.

4. The parties have agreed to mediate on ### with ###.

5. Therefore the parties request that the Court enter an order suspending the Scheduling Order until after the mediation. If the mediation is successful, the parties will inform the court and submit a schedule for submitting papers seeking preliminary approval of the proposed settlement, approval of the class member notice plan and other associated matters.

6. If the mediation is unsuccessful, the parties will notify the Court and propose a date by which Plaintiffs will depose Defendant's representatives and file Plaintiff's reply to Defendant's Response to the class certification motion.

WHEREFORE PREMISES CONSIDERED, the parties request that the Court enter an order suspending the current scheduling order pending the results of the mediation. The parties pray for general relief.

Respectfully submitted,

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